poked upon in the community in which

-Has Murdered McDonnell.

before he left Harlem to live in Boston was

"He got what was comin' to him, and he

got it good and plenty," was an expression opinion heard in saloons along East

125th street and on the street itself. So

strong is the feeling against him among some of the Harlem gambling fraternity

that his murder, it is reported, will be

Harlem gamblers' bitter hostility to

he Onews Coff in Fest 125th street

McDonnell's memory dates back, of course,

in December, 1900, after which he was

tried for the murder of George Price, another

gambler, and was acquitted. That fracas,

which was the most notorious in Myles

McDonnell's notorious career, dealt a hard

blow to Harlem gamblers because of the

tacked it up on the wall of his gambling hose in East 125th street as a warning

to "welchers."

McDonnell seldom went about without a

revolver in his coat pocket, and if he got in a row without his weapon he never hesitated to lie down and take the punishment if he

ould not run. It was said that he had illed two men in the West before he came o Harlem. When he first came to New

to Harlem. When he first came to New York he was selling corsets.

However much McDonnell's memory may be blackened in respect to his gambling career, even his enemies admit that he was good to his family. Whenever he made a big winning, he invariably, it is said, stayed with his family at his home on City Island until his pocketbook began to run low again. When his little daughter was threatened with consumption he took her to the mountains, and in order that he might talk with her every day, he had built a telephone line three miles long to the nearest connecting point of the main telephone line. He also saved his daughter and another little girl from drowning once off Atlantic

ittle girl from drowning once off Atlantic Highlands. McDonnell left Harlem about three years

Saw a Man Killed by Lightning.

evening Thomas Burke, 45 years old, of 13

Crawford street, Jersey City, was struck

by lightning and instantly killed in front of

Summit avenue, that city. It was

While he was return ing from work last

unrestrained.

Judge Refuses to Release Woman -Indictment to Be Sought To-day.

Rumors were persistent about the Criminal Courts Building yesterday that detectives working for the District Attorney had found a pawnbroker who sold the pistol with which "Cæsar" Young was shot as he sat in a cab with Nan Patterson last Saturday morning. Detective Sergeant Price brought a mysterious person to the Tomis and took him to District Attorney Jerome-who, by the way, made his first personal appearance in the case-and from the District Attorney the man was guided over the Bridge of Sighs into the Tombs prison, and so taken into the presence of Miss Patterson. The actress was engaged at that moment in a close conversation with her lawyers, Mr. Levy and Mr. Unger, and the visitor did not have an opportunity to get a good look at her face. A few minutes later Miss Patterson was taken to the Coroner's court room, where she and her counsel found the mysterious man planted where he could get a good view of the young woman as she sat, with Mr. Levy on her right and Mr. Unger on her left, at the table facing the Coroner.

As soon as the proceedings before the Coroner were over. Detective Price and the stringer hurried out of the Franklin street entrance of the Criminal Courts Building and walked rapidly over toward Broadway. Neither the detective nor the man in his charge would say a word as to the object of the visit to the Tombs and the court room, though it obviously was to give the stranger an opportunity to see the prisoner and identify her if possible with some woman with whom he had had a transaction of some

It was persistently rumored and generally believed that this transaction was nothing more nor less than the sale of the revolver and that the stranger was a pawnbroker. Nan Patterson is back in the Tombs, to

stay there until a competent tribunal has passed upon her guilt or innocence in connection with the wealthy young book-maker's death. With the dismissal of the writs of habeas corpus and certiorari by Justice John Proctor Clarke in Part II. of the Supreme Court, and with the refusal of Coroner Brown a few hours later to accept bail for her, Miss Patterson's lawyers exhausted all their resources in getting their client immediately set free. Nothing now remains for her but to await the slow process of the law in the case of persons held under a charge of murder in the first degree.

It was evident yesterday that the representatives of the District Attorney were proceeding with much more assurance and spirit in the case than at any time since it came into their hands. Mr. Jerome early dismissed the fact that the revolver had been purchased and sold nearly six years ago by a firm of dealers in firearms as entirely without interest or bearing on the present case. There was time, he argued, for it to have changed hands a dozen times during that interval. When Mr. Jerome was asked if all trace of the

Mr. Jerome was asked if all trace of the weapon ended with its sale in Broadway six years ago unfil it was found in Cæsar Young's coat pocket after a bullet from it had crashed through the bookmaker's body, causing instant coma and paralysis, Mr. Jerome declined to answer.

"I will not discuss that subject," was all he would reply.

In addition to the witness above described the District Attorney has still another, Carl Norlander by name, who for some days has been living in the Mills Hotel at 150 Bleecker street. Norlander's testimony is believed to be very important. He was in West Broadway and very close to the scene when the tragedy occurred last Sunday morning and he was an eyewitness to at least some of the events which took place in the cab.

took place in the cab.
Still another person who says that he was an eyewitness has developed in the person of Algernon C. Meyer of Jacksonville, Fla. Mr. Meyer was under a long and minute cross-examination in the office of Assistant District Attorney Rand yesterday afternoon.
The story he told was that he was going up West Broadway on the morning of the shooting; that his attention was attracted the the story of a man and a woman drivshooting; that his attention was attracted by the actions of a man and a woman driving southward and toward him in a hansom cab; that the man and the woman seemed to be scuffling and that Meyer thought they were skylarking until he saw the gleam of a bright revolver barrel; that the revolver was held in the man's right hand and that the man had his right arm around the woman's neck and her head pressed against his bosom; that while in this position and while the muzzle of the revolver must have been close to the left rnis position and while the muzzle of the revolver must have been close to the left breast of the man who held it, he, Meyer, heard a dull report which he would not have noticed in the noise of the street traffic head he ret seen a simple records. had he not seen simultaneously with the report a puff of smoke float out from the interior of the cab and the man's right arm

interior of the cab and the man's right arms drop nervelessly from the woman's neck while his body pitched forward.

Meyer said he afterward saw a crowd gather, knew something serious had happened, and immediately got away from the neighborhood, because, being only a visitor in the city and anxious to get away to Florida soon, he did not wish to be mixed up in the trouble and perhaps detained and interputed in his plans.

rupted in his plans.

The scene which Meyer described is one which hypethetically has been described many times in print and in conversation by persons who have theorized on the possible ways such a death wound as Young received might have been self-inflicted, either accidentally or purposely. Like all other theories involving self-infliction of the wound, it runs against the stone wall which the finding of the pistol in Young's pocket throws in the way of the belief that the man shot himself. All medical authorities thus far are agreed that a man shot as Young was would have been incapable of returning the pistol to his pocket, as the striking of the bullet against the spine would have produced instant paralysis and unconsciousness. The pistol, the authorities say, would have dropped from the man's hand.

Meyer stuck steadfastly to his story ways such a death wound as Young received

the man's hand.

Meyer strick steadfastly to his story and was not shaken in the least in it by the long cross fire of questions to which he was subjected by District Attorney Jerome, by Mr. Garvan and by Mr. Rand. A subpena for him was prepared, and he was under surveillance of detectives all of last night While the District Attorney would not While the District Attorney would not admit as much or even discuss the ques-tion, it is generally believed that the testimony of the witnesses secured by his office will be laid before the Grand Jury to-day and an indictment of Miss Patterson for murder in the first degree asked for. Millin, Young's cashier and confidential agent; B. S. McKean, Young's brother-in-law; Morgan Smith, the husband of Miss Patterson's site of Palice was Lurior, and a numer Morgan Smith, the husband of Miss Patterson's sister; Policeman Junior and a number of other witnesses were brought to the Criminal Courts Building yesterday afternoon and were examined again by representatives of the District Attorney.

Justice Clarke, in rendering his decision dismissing the writ of habeas corpus and remanding Miss Patterson to the Tombs, said:

said:
"The affidavit sets forth the finding of "The affidavit sets forth the finding of an unconscious man, dying from a pistol shot wound, with a revolver in his right hand coat, pocket, lying across the lap of a woman in a hansom cab, that the man died and that the officer was present at the autopsy performed on the body. It seems to be clearly a case of homicide or suicide. The positions of the wound and the revolver seem to me to establish, within the meaning of the statute, probable cause to be-

ing of the statute, probable cause to be-leve that it was homicide and not suicide. "Such facts appearing from the sworn examination of the informant upon his

MAY HAVE TRACED THE PISTOL

MYSTERIOUS WITNESS TAKEN
TO SEE NAN PATTERSON.

Man Turns Up Whe Swears He Saw "Cæsar"
Young Shoot Himself After Scume
Judge Refuses to Release Woman

Man Turns Up Whe Swears He Saw "Cæsar"
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Had Miss Patterson been released by Justice Clarke, she would have been immediately arrested on a charge of murder in the first degree and brought before a Magistrate for a hearing. Judge Olmsted in Special Sessions had issued the warrant and detectives were waiting in the Tombs to arrest her as soon as she appeared.

The appearance of the trisoner before

The appearance of the prisoner before or oner Brown shortly after Justice Clarke's ecision was to furnish bail in \$5,000, as had been agreed upon at the hearing before the coroner on Saturday afternoon last. Mr. Jerome in person appeared before the coroner and Mr. Levy spoke for Miss Patterson. Mr. Levy referred to the agree-ment as to bail, and said he was there now prepared to furnish the bond of \$5,000 as prepared to furnish the bond of \$5,000, as had been agreed upon. Mr. Jerome said that the charge on which the prisoner was held, legally held as had just been decided by the Supreme Court, was murder in the first degree, and that therefore bail could not be accepted. Mr. Levy replied briefly, when Coroner Brown said:

"I can cut this matter short by saying that information has come to me which makes it my duty to hold the prisoner without bail, there being reasonable ground for believing that the crime of murder in the first degree has been committed."

"His information come to your Honor since the last record?" asked Mr. Levy.
"It has," replied the Coroner. "It has come to me very recently."
Miss Patterson listened to all of this discussion with every outward indication of

cussion with every outward indication of complete composure of mind. She was dressed in complete mourning, and that fact made her naturally colorless face seem rather pale, but she smiled pleasantly at something one of her counsel said to her. Capt. Sweeney, of the Leonard street police station, who has done about as thorough and as skilful work as anybody con-nected with the case, said last evening that more was accomplished vesterday toward clearing up the mystery than during all the time since Saturday. He declined to specify what had been done, however. He would not say whether a pawnbroker had been found who sold the pistol, or discuss whether there was or was not important testiments whether there was or was not important testiments whether there was or was not important testiments. discuss whether there was or was not important testimony unearthed yesterday as to an eye witness. He said that at the beginning his faith was entirely with the young woman and that he believed it was a simple case of suicide, whereas now he does not believe it was a suicide and considers that the young woman has much

to explain.
"I am very well satisfied, indeed, with the

"I am very well satisfied, indeed, with the state of the case now," he continued, "and I will say that such testimony has been found that I am almost ready to predict that the Grand Jury to-morrow will find an indictment for murder in the first degree against Miss Patterson."

Last evening Detective Quinn of the Eighth precinct took Algernon C. Meyer, the young man from Jacksonville, Fla., over the scene of the shooting and asked him to repeat his story of what he says he saw and identify the events with the localities in which he says they occurred. Mr. Meyer in this did not acquit himself at all to Detective Quinn's satisfaction. The young man, Quinn says, was confused and contradictory.

Miss Genevieve Grimme of the firm of

Miss Genevieve Grimme of the firm of Brian & Grimme, 54 West Twenty-second street, who is an aunt of Mr. Meyer, said

street, who is an aunt of Mr. Meyer, said yesterday that he was a youth with a vivid imagination, and that for that reason she did not pay much attention to what he said when he told her of seeing a man and a woman struggling in a hansom cab and of the firing of the pistol.

Mr. O'Reilly of Miss Patterson's counsel said that cranks of the standard varieties, who invariably get to the front in sensational cases of this kind, had not been lacking in this instance. In proof of this statement he showed a crazy letter received yesterday in which was a rambling mess purporting to come from a Secret Service agent, the substance of which, if substance it had, was that Young wanted the writer to meet him on the Saturday of the tragedy, but that the writer didn't go because Young had likewise confided to him the information that he, Young, intended to commit suicide.

A lawyer named Bernard L. Mittnacht telephoned to Mr. Levy yesterday afternoon that a client of his named Henry A. Katz, of 20 West 124th street, was near the scene of the tragedy at the time it occurred and that the tragedy at the time it occurred and that he had seen something of what took place in the hansom cab. He has not as yet been subprensed

THE SEAGOERS.

Flyer Deutschland Will Take Out a Multi-The North German Lloyd flyer Deutschland, off to-day for Cherbourg, Plymouth and Hamburg, has among her multitude

of cabin passengers:
Prince K. von Ratibor, the Hereditary Prince von Ratibor, the Princess Elizabeth von Ratibor, the Countess Moritz von Rumerskirch, Prince Hohenlohe Schillingfuerst, the Princess Elizabeth Zu Hohenlohe, Mr. and Mrs. George H. Catlin, Capt. Willard H. Brownson, U. S. N.: R. W. Goelet, Mrs. Susan Preston Draper, Miss Margaret Preston Draper, Miss Margaret Preston Draper, Enson Ernst von Hesse-Wartegg, the Marquise des Monstiers Merinville, Charles H. Steinway, Mrs. W. R. Travers, Sidky Bey, secretary to the Turkish Legation at Washington; Mr. and Mrs. Robert Dun Douglas, Mr. and Mrs. Clarence Mackay and J. P. Meyer, manager of the passenger department of the steamship company.

Some passengers salling to-day by the of cabin passengers:

ment of the steamship company.

Some passengers sailing to-day by the French liner La Lorraine, bound for Havre:

Mr. and Mrs. H. D. Babcock, Charles L. Knoedler, Mr. and Mrs. Edward A. Finlay, Mr. and Mrs. J. M. Ellsworth, Mr. and Mrs. D. S. Ellsworth, Edgar R. Dawson, Capt. Bource of the French Army, M. A. Barber, Mr. and Mrs. J. T. Brady, Mr. and Mrs. Roger Bouvard, Dr. Charles G. Chaddock, Capt. Champrosay of the French Army and Mrs. Gustav Bruce Berckmans.

Arrivals by the Panama Railroad steamwilliam W. Russell, recently appointed Minister to Colombia: José Domingo de Obaldia, Minister from Panama to this country; Gen. H. F. Jeffries and W. Ehrman, President Amador's son-in-law.

PHIPPS GETS THE CHILDREN.

Denver Judge Signs an Order Giving Him Their Custody for the Present. DENVER, June 8 .- Judge Palmer of the DENVER, June S.—Judge Palmer of the District Court has issued an order giving the custody of the Phipps children to their father, Lawrence C. Phipps, until further notice. He has also signed writs of injunction not only preventing the United States Steel Corporation, the United States Trust Company and J. P. Morgan & Co. from paying further dividends to Mrs. Phipps, but ordering them not to allow a transfer of any of the Phipps securities in their possession.

in their possession.

A lis pendens has been filed with the County Recorder which states that although the title to the Phipps mansion in Denver is in Mrs. Phipps's name, it is really the property of her husband, who now claims absolute ownership. bsolute ownership.

The Weather. The low pressure had moved off the New England coast yesterday and was followed by an area of high pressure coming down over the Lake regions. This caused scattered showers in the districts on the eastern side of the Lakes and over New Eng-land. There were also showers in the Dakotas; elsewhere the weather was fair. It was warmer in about all districts, except in the Lake regions. In this city the day was fair and slightly warmer; wind fresh northeasterly; average hu at 8 A. M., 29.94; 3 P. M., 29.92. The temperature yesterday, as recorded by the official thermometer, is shown in the annexed table:

WASHINGTON FORECAST FOR TO DAT AND TO MORROW For eastern New York, eastern Pennsylvania, New Jersey and Delaware, generally fair to-day and light to fresh north to northeast winds For New England, partly cloudy to-day; showers in east portion except in eastern Maine; fair; con-tinued cool to-morrow, light to fresh north winds. For the District of Columbia and Maryland, fall to-day; partly cloudy to-morrow; north to northeast

For western New York, partly cloudy to-day and to-morrow; showers to-morrow in west portion; light to fresh north to northeast winds.

THE KILLING OF M'DONNELL.

SHOT WITHOUT WARNING BY HIS FRIEND R. E. PREUSSER.

in the Hotel Ten Eyek, Albany, and Both Barrels of a Shotgun Emptled Into His Head-Men Had Quarrelled.

ALBANY, June 8. - THE SUN this morning, in late edition, told how just before 1 o'clock this morning Myles B. McDonnell of Boston was called to the door of his room in the Hotel Ten Eyck and shot dead by Richard E. Preusser of this city. McDonnell was the auditor of the Boston Metropolitan Stock Exchange and Preusser is a member of the firm of Preusser & Co which operates a bucket shop here in connection with the Boston house.

Preusser has been in Albany about fifteen years, having come here from New York city, where he was a member of the Consolidated Stock Exchange. The two men had been fast personal and business friends. McDonnell is the man who had a quarrel with some poolroom men in a saloon in Harlem a few years ago, when he shot three of them, killing one. McDonnell was tried before Justice Fursman and acquitted on the ground of self-defence. Preusser aided McDonnell materially at

Preusser was locked up in a cell in the Second precinct station house, and early this morning, before Justice Brady, pleaded not guilty. He was to have been arraigned at 2 o'clock this afternoon, but as he was asleep in his cell at the county jail at that hour, the case was adjourned until 10 o'clock to-morrow morning. Judge Andrew Hamilton, who is a personal friend of Preusser, is his counsel. To-day as Mr. Hamilton was in New York his partner, Mr. Towner, appeared for Preusser. The friends of Preusser insist that he is insane and will ask the Court to appoint a commission to pass on his sanity.

The murder was one of the most sensa tional and was carried out in the most methodical, deliberate manner imaginable. McDonnell, Preusser and a party of friends had been about the city yesterday. They had been drinking heavily, and last night they went to Keeler's restaurant, where had dinner, and then sat about the table. McDonnell had come to Albany to clear up a matter concerning the disposition of George Train, an insane member

Last week George Train came to Albany and was the guest of Preusser. He had been a member of the Metropolitan Stock Exchange, and it was said that he went crazy brooding over the loss of \$500,000. He had been sent to a sanitarium in Massachusetts and had written from there that when he got out he would shoot a member of the exchange who he believed was responsible for his loss. It was decided to bring George Price in the Onawa Cale, in New York, in 1900.

McDonnell left three children, two girls and a boy. The older girl, 19 years, was the child of his former marriage with Mrs. McDonnell's sister. She is attending Notre Dame Academy. The other girl, 8 years old, and the boy of 5 are by his second marriage. The little fellow had made arrangements for a party on his fifth birth-day, which comes on next Friday. and was the guest of Preusser. He had ble for his loss. It was decided to bring Train into New York State, and Preusser was to have him placed in a sanitarium here. He arrived in Albany last Friday, and on that day and Saturday was about the city with Preusser. Saturday night Train was picked up by the police while acting queerly about the city. He was sent to the insane pavilion of the City Hospital. Preusser was to have him sent to the Marshall Infirmary at Troy, and McDonnell came on from Boston to assist in the removal of the demented man to that place.

McDonnell and Preusser up to 11 o'clock last night were apparently on the best of terms. They sat chatting pleasantly with their companions. Then McDonnell got up from the table and went downstairs to the toilet in Keeler's restaurant. Preusser followed him down, and people upstairs were surprised to hear angry words coming rom the toilet. Preusser, who is a one armed man, when drinking has always been noted for his fiery temper, and his friends thought it was simply a drunken argument, and paid no attention to it. When McDonone of the proprietors: "Poor Dick is crazier

than Train." He left the restaurant and went to his room at the Ten Eyck. Preusser came up-stairs from the toilet looking moody and ill tempered. He went out of the restaurant and passed down the street, a block below the restaurant, to his office. He opened the door of his office, took a double barrelled breech loading shot gun down from wall, loaded it and then went to the res-taurant again. He stopped at the deak and

wall, loaded to tall them well to the feet aurant again.

"I've got my odds now. I'll show him."

He left the restaurant and went up State street, carrying his gun in his arm. Mr. Keeler thought it strange that Preusser should have a gun, and he tried to telephone to the Ten Eyok not to let Preusser get to McDonnell's room, but he didn't succeed. Going up to the night clerk of the Ten Eyok Preusser asked where McDonnell's room was. He was given the number. As Preusser is so well known about the hotel he was permitted to go to the room on the second floor without being accompanied by a bell boy. A boy saw him going to the room carrying his gun and asked him what he was doing there. Preusser replied that he was going to call on McDonnell. The night watchman also saw him and asked him the same question and received the same answer. Evidently no one gave any consideration to the fact that he carried a gun.

and received the same answer. Evidently no one gave any consideration to the fact that he carried a gun.

Preusser went to McDonnell's room.

Placing the bark of the gun over his short stump of an arm he sighted the weapon and then knocked on the door. McDonnell opened the door and without a word Preusser pulled the triggers and the contests. and then knocked on the door. McDonnell opened the door and without a word Preusser pulled the triggers and the contents of both barrels were emptied into McDonnell's head. Death was instantaneous. Preusser never stopped to see what he had done, but placed the gun in the jamb of the door, walked down the stairs and out of the hotel, followed by the night watchman who had witnessed everything. Preusser went to the Second precinct station house and gave himself up. He telephoned to his wife of what he had done and she visited him, being permitted to interview him in the private office of the chief of police.

The hotel people were alarmed by the report of the gun and ran to McDonnell's room. Physicians were summoned, but the man was dead. His remains were taken in charge by Coroner Van Guysling. His wife, in Boston, had been notified. From letters found on his person it was seen that there was some trouble between him and Preusser and it is said that it was all over who was to bear the expense of caring for Train.

who was to bear the expense of caring for Train.

Preusser is highly regarded in this city. He has very influential friends who have visited him and are doing their utmost to have him adjudged insane. He has been a heavy drinking man and was also a cigarette fiend. His wife was overcome when she left him in the Second precinct station house.

When sober "Dick" Preusser was one of the most amiable of men. He was kind hearted and liberal and ever ready to hold out the helping hand. He has handled thousands of dollars for the political parties and his word was as good as his bond any time.

any time.

Preusser had leased for the summer the Edgar F. Hewitt furnished cottage on York Edgar F. Hewitt furnished cottage on York avenue, Saratoga, and was to have taken possession on June 23. For the past two seasons he and his family have occupied the Mrs. A. L. Van Tassel furnished cottage on Circular street in that village. MRS. M'DONNELL PROSTRATED.

BOSTON, June 8.—The full particulars of the tragedy were conveyed to Mrs. McDonnell at Jamaica Plain this morning by a reporter. Having received no message from any other source about it, she was at first loath to believe it, but when she realized that it was all true she was prostrated. "I don't see how it can possibly be," she cried. "I don't see how God could let this happen. The past troubles seemed so far rianing hard and he stopped under a tree.
The bolt stripped several branches off the tree. Several people saw the man fall like a log in the lightning flash.

behind us, and the future all seemed so bright. I expected him home to-day, for he said he would be gone but a day. As he got back we were going to buy a house that we have been looking at and decided upon, a pretty house right in Jamaica Plain, and now—well, it's all over. "He hated to go away, too. He got.word late Monday night from Dick Preusser to come on and look out for Train right away. He was somewhat provoked at Dick for not looking out for him himself, as he had money, time and influence enough to provide properly for Dick. Also he had been Train's friend longer than Mac had been. But Mac wouldn't see Train unattended to, and so he left for Albany by the first train, 4 in the morning. He wanted to get a little sleep before he went, so I stayed up reading, and when the time came I called him. He didn't even take a dress suit case with him, because he expected not to stay over night. WHO SETTLED SHIPYARD SUFF?

KAVANAUGH OF SARATOGA COUN-TY HAS GOT HIS MONEY

And Amigned to Edward P. Covne His Stocks, Bonds and Chose in Action—Retires From the Shipbuilding Business and Will Stick to Knit Goods.

As THE SUN said yesterday, the claim of \$73,375 of Charles H. Kavanaugh, the wealthy knit goods manufacturer of Waterford, Saratoga county, against the Mercantile Trust Company, Alvin W. Krech, John J. McCook and Charles C. Deming has been settled out of court, but who settled it has not been disclosed. In fact. Henry C. Deming, president of the Mercantile Trust Company, said yesterday morning that he knew nothing about any settlement and that the case would be vigorously defended. John Cadwalader and John G. Milburn, attorneys for the defendant, knew nothing about any settlement.

nim. He clidn't even take a drees sure case with him, because he expected not to stay over night.

"It seems as though some premonition of what was coming must have been in his mind, although he said nothing of such suspicions. He kissed the children twice, came back to the door two or three times and finally went away very quiet."

When Mrs. McDonnell was first informed this morning of her husband's death she thought that a joke that her husband had played on her sister had leaked out.

When McDonnell was leaving the house for Albany yesterday morning he promised, with a knowing smile, that he would fix it so that her sister, Katherine Driscoll, who lives in New York, would come on before Wednesday. While on his way to Albany he sent the sister a telegram, dated at Boston, and purporting to come from his wife, which read:

"Mac's dead. Come at once."

It was McDonnell's notion that as soon as the sister received this message she would, without any hesitation, leave for Jamaica Plain. Instead, as she had a few hours in which to wait for a train, she sent descript to Mrs McDonnell asking for The mystery, therefore, is as to the iden tity of the person or persons who were good enough to settle with Mr. Kavanaugh-Mr. Kavanaugh got his money and is perfeetly satisfied with the terms he was able to make. A Waterford friend of Mr. Kavanaugh was in town yesterday and seemed to be particularly jubilant over this result. He, apparently, didn't see why all the facts regarding the settlement should not be made public. According to him, the Jamaica Plain. Instead, as she had a tew hours in which to wait for a train, she sent a despatch to Mrs. McDonnell, asking for verification of the message which she had received. Mrs. McDonnell returned word that her husband was in Albany, allive and well, and that it was a joke on his part to get her to visit them. This morning Mrs. McDonnell sent another message to her sister which read: final terms of settlement were agreed upon and the deal closed at the Hotel Manhattan last Saturday morning, when there were present Charles H. Kavanaugh, his attorney, Senator Edgar T. Brackett of Saratoga, and ex-Judge Edward P. Coyne, McDonnell sent another message to her sister which read:

"Mac's dead. Come to me at once."

Myles B. McDonnell lived at 24 Grosvenor road, Jamaica Plain, one of the residence sections of the city. He was 44 years old and had lived in this city about three years. He was a travelling agent of the Metropolitan Stock Exchange of this city, which has headquarters at the Revere House, and his business was chiefly away from Boston, necessitating frequent trips out of town. McDonnell was always looked upon in the community in which whose office is at 256 Broadway and who came to New York from Livingston county a year or two ago to accept a large retainer from the Metropolitan Street Railway Company. For whom Mr. Coyne acted is not stated.

At any rate, after all details had been arranged Mr. Kavanaugh assigned in blank to Judge Coyne \$50,000; par value of the bonds of the United States Shipbuilding Company, 500 shares of the common looked upon in the community in which he lived as a quiet and peaceable man, not addicted to dissipation of any sort and of a kindly disposition. He was a man of domestic habits during his life in Boston and was devoted to his home. It was not until the news of the murder came this morning that it was realized that McDonnell was one and the same man with Myles McDonnell, the gambler and the slayer of George Price in the Onawa Café, in New York, in 1900. stock of that corporation and 200 shares of the preferred stock, together with what ever interest he might have in the suit which he had brought against the Mercantile Trust Company and others. Besides that assignment Mr. Kavanaugh gave written authority to Judge Coyne to reassign the securities and Kavanaugh's interest in the suit as Judge Coyne saw fit. Mr. Kavanaugh did not assign, however, any rights he might have to bring suit against the Commonwealth Trust Company or any one else interested in the formation of the United States Shipbuilding Company other than the defendants in this particular suit.

In return for this assignment, Mr. Kavanaugh received something more than \$70,000 for himself, together with all his HARLEM GAMBLERS REJOICE. expenses and lawyers' fees. Of the total Openly Glad That Somebody-Anybedy amount handed over to him, \$65,000 was in the form of a draft drawn on a private banking house and payable through the No shadow or sorrow over the murder Merchants' Exchange National Bank. This of Myles B. McDonnell darkened Harlem yesterday. In the haunts he used to fredraft was not made payable to Mr. Kavaquent his death was toasted with brimming naugh's order, however, and it is doubtful if he even saw it. He got the proceeds. glasses, and the joy of many of his fellow gamblers who hated him and feared him

Everybody shook hands, and the up State parties to the transaction returned home. According to Mr. Kavanaugh's Waterford friend, the knit goods manufacturer is highly satisfied with the result of his lawsuit, and he will now retire from the shipbuilding business.

SHOOK DENIES CHARGES. Says He Will Bring Suit to Compel Secretary celebrated formally, but privately, by a

Taft to Restore Him to the Army. WASHINGTON, June 8 .- John M. Shook of Kansas, who was discharged from the to the part he took in the free for all pistol army last year, made a statement to-day He took particular exception to the connection of his name with that of Lerma, a native of the Philippines, who was dismissed by Mr. Taft, then Governor of the Philippines, from the office of Secretary of Bataan Province, on the charge of having

extorted \$600 from an old woman. Shook in his statement said that I.erma was his interpreter at a time when a number of houses were burned in Bataan Province for military reasons, and represented to Shook that if a house belonging to an old woman was not burned she would persuade

blow to Harlem gamblers because of the light which was shed on the thriving gambling business in Harlem.

Myles McDonnell, in the opinion of those who knew him best, was the kind of a man who would run rather than fight with his fists, but who, when armed with a revolver, was afraid of neither man nor the devil. He was a cheap gambler, his former associates say, "a shoe string" man, but able. They cite it as a proof that he had brains that he went on the witness stand against the advice of his counsel in the murder trial, and, admitting that he killed Price and shot Kennedy and Courtney also, convinced the jury that he did it in self-defence.

In describing the fight which he had in the Onawa with six men, McDonnell told the jury: woman was not burned she would persuade her two sons to leave the insurgent army and surrender to Shook. Later, Shook says, the two sons surrendered and took the oath of allegiance to the United States. He declared also that there was nothing in his record on file in the War Department concerning this affair and that he had never heard, officially or otherwise, that his name was connected with the alleged extortion by Lerma, who, he said, was a wealthy planter and had acted as interpreter for the Government for nearly two years, declining to accept any pay for his services.

Mr. Shook declared that he would bring suit to compel Secretary Taft to restore him to the army. He was sick at the time of his last examination, he said, and the year allowed by law to prepare himself was not

the jury:

"Tom Kennedy said to me, 'I'll cut your heart out,' and I said to him, 'Don't, Tom. Two can play at that game.'

Another case which gave McDonnell the reputation of a bad man in Harlem was his heroic treatment of a faro dealer who had gone away with \$1,800 McDonnel had given him to back the bank. McDonnel ran the man down, cut of his left ear, and tacked it up on the wall of his gambling allowed by law to prepare himself was not

MISS TAYLOR'S DISMISSAL. District Court of Appeals Affirms the Decision of the Lower Court.

WASHINGTON, June 8 .- The District Court of Appeals affirmed to-day the opinion of the lower court as to the right of the Secretary of War to dismiss Miss Rebecca J. Taylor, a clerk in the War Department, who attacked the policy of the Government toward the Philippines in a series of news-

toward the Philippines in a series of newspaper articles.

Miss Taylor admitted the authorship of the articles, and when called upon by the Secretary of War to show cause why she should not be dismissed, in effect denied the power of the Secretary under the civil service rules to dismiss her on such a charge. She was thereupon dismissed, but brought an action of mandamus in the District Supreme Court to compel her reinstatement. This was denied by Justice Bingham on the ground that the court had no jurisdiction over the acts of the Secretary of War in such matters.

diction over the acts of the Secretary of War in such matters.

The Court of Appeals affirmed that opinion to-day and says the civil service act was not intended to limit the power of removal except for the single cause of failure to contribute money or services to a political party. The entire policy of civil service had been to restrict the power of appointment, not removal. of appointment, not removal.

Two Candidates for Vice-President

McDonnell left Harlem about three years ago for Boston. Tom Kennedy, one of the men he shot in the Onawa Café, runs a saloon in East 126th street. He was out of the city yesterday, but his bartender, Joe Ford, had this to say:

"Myles McDonnell deserved what he got."
Ed Courtney, the other man who was seriously wounded in the fray, left the city a few weeks ago for Denver, saying that he was a dead one and of no use to anybody. He is paralyzed as a result of the wound he got in the fight. "It would have been better for me if he had killed me, as he did George Price," said Courtney.

McDonnell, his old associates said yesterday, was in Harlem about a week ago, and Preusser was in 125th street not long ago, and, it is said, was seen in several places where men unfriendly to McDonnell hang out. That was noticed in Harlem, it was said, because Preusser had formerly been a friend of McDonnell, and had put up money for him when he was being tried for murder. Preusser formerly ran a bucket shop in Harlem. WASHINGTON, June 8.-Two of the three eading candidates for Vice-President of the United States are now in Washington, Representative Robert R. Hitt of Illinois having arrived this morning. Speaker Cannon arrived yesterday afternoon. Mr.

Cannon arrived yesterday atternoon. Mr.
Hitt called on the President to-day and had
a talk with him.
Mr. Hitt said the outcome of the State
convention in Illinois was excellent, that
harmony would prevail in the Republican
ranks and that the State would surely be
found in the Republican column next
November.

Asphalt Bid \$1.08 a Square Yard. Public Works Commissioner Breckenridge in Brooklyn yesterday opened the bids for the asphalting of fourteen streets.
The lowest was \$1.08 a square yard. It is less than any other asphalt bid ever received in Brooklyn.

FOR THURSDAY, FRIDAY AND SATURDAY: Pajamas for Men Regularly \$2, \$3 and \$4, At \$1.45.

Well tailored Pajamas for all manner of Men. They are of such seasonable fabrics as Dimity, Damask, Filigree Cloth, White Nainsook, Lonsdale Cambric. Mercerized Madras, Silk-and-Linen and kindred weaves in white, blue, tan, pink and gray, in military or conventional models, with silk frogs or buttons.

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Note. Repairing of Rugs will be attended to if desired. In Storing Furs, should any alterations or repairs be contemplated, it is suggested that the work be done during the Spring or Summer season, when advantages in cost can be secured.

NOTICE. This establishment will be closed at 12 noon on Saturdays, and at 5 P. M. on other business days.

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H. J. BARRETT GOES FREE.

The Indictments Against Gen. Tyner's n-in-Law Dismissed by the Court. WASHINGTON, June 8.- The two remaining indictments against Harrison J. Barrett, son-in-law of former Assistant Attorney-General Tyner of the Post Office Department, who were both recently acquitted of the charge of conspiring to defraud the Government, were to-day dismissed by Justice Gould of the United States District Court. This action was taken on the motion of the prosecuting officers, who, in view of the verdict on the conspiracy charge, are satisfied a conviction could

Attorney Hershey, one of counsel for Tyner and Barrett, to-day gave out the

following statement in regard to the case:
"President Roosevelt, relying upon the in answer to the refusal of Secretary Taft | reports of Mr. Bristow, the Fourth Assistant issued a sort of imperial rescript, declaring Gen. Typer guilty of these crimes, and called upon a jury to do its duty. The President did this in face of Gen. Tyner's dignified protest that fifty years of honorable service and good character ought to count for something against the mere word of an something against the mere word of an investigator, and that before such a summary condemnation he ought to be heard in his own defence or be confronted by witnesses or by evidence. A jury has now done its duty, and it is evident that some one has blundered, and that Gen. Tyner was as innocent of wrongdoing as a babe, and that it came postty near being a mali-

one has blundered, and that Gen. Tyner was as innocent of wrongdoing as a babe, and that it came pretty near being a malicious flight of the imagination to accuse him of any crime or any moral or official misconduct. President Roosevelt is entirely too big a man and too fair a man not to do what he can to right this horrible wrong, and Gen. Tyner will undoubtedly give him an opportunity to do so.

"The Barrett indictments were dismissed, not for lack of evidence in the ordinary sense, but because the witnesses who are on the back of the indictments denied under oath, as Government witnesses in the Tyner cases, that they ever even accused Barrett of the wrongs charged. The indictments dismissed were no flimsier or more specious than those tried. In the Tyner trial there was not even evidence enough against the General to lift the case above ordinary farce comedy. And but for Gen. Tyner's desire to explain his side fully, we would not have dignified the case by offering evidence.

by offering evidence.

"If the full story of this persecution "If the full story of this persecution—and note that I say persecution, not prosecution—is ever told, it will make mighty interesting reading, to say the least. The President, in announcing that he considered Gen. Tyner 'the chief offender,' and that his 'corruption had gone on for a number of years, relied on the report of his subordinats. The Government, in this case, by its own witnesses, proved not only that this report was unfair in every detail, but that in its palpable effort to make a hit and find a victim it went very much further than mere unfairness."

Army and Navy Orders.

WASHINGTON, June 8 .- These army orders wer issued to-day:

Major Oscar P. Long, Quartermaster, from this
city to New York to arrange for the transportation
of Porto Rican teachers.

Capt. Frederick P. Reynolds, Assistant Surgeon,
from General Hospital, Washington, to the Presidio
of San Francisco.

Capt. Manly B, Curry, Paymaster, from Atlanta
to San Francisco
of Cadet Aifred L. P. Sands,
third class, United States Military Academy, and
First Lieut. Robert, M. Smith, Philippine Scoute,
have been accepted.

These navy orders were lasued:
Capt. J. P. Merrell, from Washington to command
the Oregon.
Lieut. C. R. Slocum, to the Naval Training Station, San Francisco.
Medical Director J. W. Ross, from Naval Museum,
Washington, to duty with the Isthmian Canal Commission.

Owen J. Mink of Wheaton, Ill., and Frederick
E. Porter of Dayton, Tenn., have been commis-sioned as Assistant Surgeons in the navy.



JIMENEZ LANDS AT MACORIS. The Insurrection in Santo Domingo Apparently Renewed.

WASHINGTON, June 8.-Right at the moment when peace was about to be proclaimed in Santo Domingo, the insurrecion has apparently been renewed by former President Jimenez, who was driven from the country several months ago. A brief despatch containing this news was received

despatch containing this news was received at the State Department to-day from W. L. Powell, United States Minister at Port as Prince, Hayti. Mr. Powell said:

"The English cruiser Indefatigable safted yester day for Santo Domingo, it having been reported that Jimenez had landed at Macoris."

A few days ago Rear Admiral Sigsbee, commanding the Caribbean squadron, telegraphed the Navy Department that as a result of a conference on board the cruiser Detroit at Puerto Plata, terms for the adjustment of the Dominican political troubles had been arranged and that peace would be processimed as soon as the Dominican

had been arranged and that peace would be proclaimed as soon as the Dominicas Government agreed to the arrangements.

Jimenez was formerly an ally of Morales the present President. Their joint forces overthrew President Wos y Gil and caused him to flee the country. Morales assumed the Presidency and Jimenez thereupon declared war on him. When Jimenez had to leave Santo Domingo to escape capture, some of his followers kept up operations against Morales. Whether they will go to war again under Jimenez in the face of the peace agreement is not known here. peace agreement is not known here.

THE REPUBLICAN CAMPAIGN. New York Will Probably Be the Head-

quarters of the Congress Committee. WASHINGTON, June 8 .- Secretary Overstreet of the Republican Congress Campaign Committee, who is here making arrangements for beginning the work of the campaign, said to-day that New York would probably be selected as headquarters, but it would not be definitely deterters, but it would not be definitely determined until after the national convention. The main issue of the campaign, he said, would be the tariff question, and the Republicans would rely more than usual upon their spellbinders, although the usual amount of literature would be distributed.

The attention of the voters would be called by the speakers to the prosperity existing under the present tariff and to the threat of the Democrats to repeal the Dingley act and substitute practical free trade. He had no doubt that the Republicans would elect a majority of the next House, but adelect a majority of the next House, but admitted that there was much hard work to be done and warned the Republicans not to make the mistake of being overson. fident.

Movements of Naval Vessels.

WASHINGTON, June 8 .- The cruiser Baltimore has arrived at Tangier, the supply ship Culgoa has sailed from Norfolk for New York, the gunboat Nashville from Pensacola for Boston, the destroyer Law-rence from Pensacola for Hampton Roada, the monitor Monterey and the collier Alexander from Hong Kong for Cavite, and the cruiser Albany from Honolulu for

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